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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/724,839
Inventor(s) : Gregory Dean Sunvold, et al.
Filed : December 1, 2003
Art Unit : 1623
Examiner : Eric Olson
Docket No. : P147
Confirmation No. : 2171
Customer No. : 27752
Title : Methods and Kits Related to Administration of a
Fructooligosaccharide

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The owner, The Procter & Gamble Company, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior Patent Nos. 6,306,442; 6,475,512; RE38112; 6,818,225; 5,958,898; 5,965,175; and 6,093,418 as the term of said patents are defined in 35 U.S.C. 154 to 156 and 173, and as the term of said prior patents are presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as

Appl. No. 10/724,839
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the term of said prior patent is presently shortened by any terminal disclaimer, in the event that said prior patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Authorization is given to charge Deposit Account No. 16-2480 for the fee required under 37 C.F.R. §1.20 (d) for submission of this Terminal Disclaimer.

The undersigned is an attorney or agent of record.

Respectfully Submitted,

THE PROCTER & GAMBLE COMPANY

By



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Date: November 14, 2008
Customer No. 27752